



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

June 27, 2019

LISA LISKER, TREASURER  
CORY GARDNER FOR SENATE  
9227 E. LINCOLN AVE., #200-234  
LONE TREE, CO 80124

**Response Due Date**  
**08/01/2019**

IDENTIFICATION NUMBER: C00492454

REFERENCE: APRIL QUARTERLY REPORT (01/01/2019 - 03/31/2019)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 item(s):

- Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). The Commission notes your additional explanation regarding the committee's corrective action taken for some of these contributions.

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,800 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR §§ 110.1(b), (e) and (k), and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

Please be reminded that all refunds, redesignations and reattributions must be made within 60 days of receipt of the contribution. To date, one or more of the

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apparent excessive contributions have not been refunded, redesignated, or reattributed.

For reattributions, the funds can be retained if, within 60 days of receipt, the excessive amount was properly reattributed to another person. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor who signed the check an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount was properly designated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) the committee redesignates by presumption the excessive portion of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/ or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period

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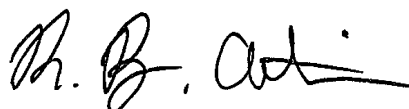
in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate and/or reattribute the excessive amount will be taken into consideration.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit <http://transition.fec.gov/rad/>. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1196.

Sincerely,

A handwritten signature in black ink, appearing to read "B. B. Austin", with a stylized flourish at the end.

Bradley Austin  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Apparent Excessive, Prohibited, and Impermissible Contributions**  
**Cory Gardner for Senate (C00492454)**

**Apparent Excessive Contributions from Individuals**

Contributor Name	Date	Amount	Election
Howlett, C.A.	2/5/18	\$1,000.00	P2020
Howlett, C.A.	3/27/19	\$2,800.00	P2020
Lonsdale, Joe	12/26/17	\$2,700.00	P2020
Lonsdale, Joe	3/15/19	\$4,900.00	P2020
McNeil, Charles	11/2/16	\$2,500.00	P2020
McNeil, Charles	3/4/19	\$2,800.00	P2020
McVane, Charles Edward Mr.	9/27/16	\$2,700.00	G2020
McVane, Charles Edward Mr.	3/22/19	\$2,800.00	G2020
McVane, Charles Edward Mr.	9/27/16	\$2,700.00	P2020
McVane, Charles Edward Mr.	3/22/19	\$2,800.00	P2020
Robinson, Richard L	9/30/17	\$2,700.00	P2020
Robinson, Richard L.	3/14/19	\$2,800.00	P2020
Silverman, Jeffrey	3/27/19	\$2,800.00	P2020
Silverman, Jeffrey	3/31/19	\$2,800.00	P2020
Smethills, Diane H	2/23/18	\$1,500.00	P2020
Smethills, Diane H.	3/31/19	\$2,200.00	P2020
Smethills, Harold Mr	7/31/17	\$2,500.00	P2020
Smethills, Harold Mr.	12/31/18	\$200.00	P2020
Smethills, Harold Mr.	3/31/19	\$2,500.00	P2020
Weiss, M	9/16/16	\$2,700.00	P2020
Weiss, Mary	3/26/19	\$2,800.00	P2020
White, Michael	12/31/18	\$2,700.00	G2020
White, Michael	3/20/19	\$2,800.00	G2020
White, Michael	5/10/18	\$1,000.00	P2020
White, Michael	12/31/18	\$1,700.00	P2020
White, Michael	3/20/19	\$2,800.00	P2020

**Apparent Excessive, Prohibited, and Impermissible Contributions**  
**Cory Gardner for Senate (C00492454)**

**Apparent Excessive Contributions from Affiliated Committees**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Orbital ATK Inc. Political Action Committee	12/28/15	\$1,000.00	P2020
Orbital ATK Inc. Political Action Committee	9/2/16	\$1,500.00	P2020
Vista Outdoor Inc. Political Action Committee	9/27/17	\$1,500.00	P2020
Orbital ATK Inc. Political Action Committee	9/30/17	\$1,000.00	P2020
Employees Of Northrop Grumman Corporation PAC	3/11/19	\$1,500.00	P2020
NexEra Energy PAC	6/8/17	\$1,000.00	P2020
Southern Company Employees PAC	9/12/17	\$2,000.00	P2020
Southern Company Employees PAC	12/31/17	\$3,000.00	P2020
NextEra Energy PAC	1/22/19	\$4,000.00	P2020
Cigna Corporation Political Action Committee	6/11/15	\$2,500.00	P2020
Cigna Corporation Political Action Committee	2/15/19	\$2,500.00	P2020
Express Scripts Inc. Political Fund	3/27/19	\$1,000.00	P2020

**Apparent Excessive Contributions from Committees**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Empower-A Great-West Life & Annuity Insurance Company Political Action Committee ('Empower Pac')	12/12/17	\$2,500.00	G2020
Empower - A Great-West Life & Annuity Insurance Company Poli	3/31/19	\$5,000.00	G2020